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Public Sector Safety Report, Fall 2003

Maine Department of Labor

Maine Public Sector Enforcement

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Public Sector SAFETY REPORT

Public Sector Enforcement activity July through September 2003

Initial Unadjusted Penalty Amount: \$66,500.00

Adjusted Penalty Amount: \$53,555.00

- Initial penalty amounts can be reduced 10-45% on the basis of employer size and by 15 or 20% based on a good faith effort for having an active safety committee. During this period the initial penalty amount was reduced by 25%.
- During this time period one willful penalty (\$10,000.00) was assessed. The Public Sector Enforcement Office told the employer in the morning that employees must wear traffic safety vests. The same employees were still not wearing traffic vests on the afternoon of the same day.

Most Cited Violations

- 29CFR1910.157(e)(2) Portable fire extinguishers were not visually inspected monthly.
- 29CFR1910.303(b)(1) Electrical equipment contained recognized hazards likely to cause death or serious physical harm.
- 29CFR1910.147(c)(1) The employer did not have a hazardous energy control (lockout/tagout) program.
- 29CFR1910.151(c) The employer did not have an emergency eyewash or shower in work areas containing corrosive materials.
- 29CFR1910.212(a)(1) The employer did not provide adequate machine guarding.

6 Month Review - January 1 through June 30, 2003

- 145 locations inspected.
- 1063 violations found.
- Total Initial Unadjusted Penalty: \$140,610.00. Reduced by 32% for Size Reduction and Good Faith, for an Adjusted Penalty amount of \$95,045.00
- Total penalty amount due after appeals: \$700.00.
- Total amount collected from employers following appeals or by not filing an appeal: \$19,080.00.

Employers Must Assess for Personal Protective Equipment

According to OSHA standard 29 CFR 1910.132, employers must assess their workplaces for hazards that require the use of personal protective equipment (PPE). Employers can use this information to determine the jobs and workers who need PPE and the types of PPE needed. Written certification is required to document the PPE assessment. Public Sector Enforcement has found written certification lacking in many schools.

For a copy of or more information about this standard go to www.osha.gov or call SafetyWorks! toll-free at 1-877-SAFE-345. SafetyWorks! is a program of the Maine Department of Labor that offers free information, training, and consultation on workplace safety and health without citations or fines.

New Labor Posters Available

Employers must display certain posters where employees can see them. The posters for minimum wage, child labor, regulation of employment and whistleblower protection have been updated and redesigned. For copies of the new posters or a list of all required posters, call 624-6400 or go to www.Maine.gov/labor/blsmain.htm

Regulations and compliance assistance for Maine public sector workplaces can be found on the internet at <http://www.Maine.gov/labor/bls/newpsw.htm>

The Maine Department of Labor provides equal opportunity in employment and programs. Auxiliary aids and services are available upon request to individuals with disabilities.

Return Service Requested

MAINE
DEPARTMENT OF
LABOR
Public Sector Enforcement

Public Sector

S A F E T Y R E P O R T

Fall 2003

Public Sector

S A F E T Y R E P O R T

The Public Sector Safety Report is issued quarterly to inform public sector employers and employees of safety and health enforcement issues. Published by the Maine Department of Labor, the compliance and enforcement agency for occupational safety and health regulations for public sector workplaces in Maine.

Please post this Report to share the information with employees.

To be added to the mailing list, or to make address corrections, send information to *Public Sector Safety Report*, MDOL, 45 State House Station, Augusta, ME 04333-0045, fax to (207) 624-6449 or e-mail at webmaster.bls@Maine.gov TTY 1-800-794-1110.